

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PETER MERGENTHALER *et al*,

Plaintiffs,

SCHEDULING ORDER
23-CV-06926 (JMA) (JMW)

-against-

JAMES W. ZIMBLER *et al*,

Defendants.

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WICKS, Magistrate Judge:

The following dates and deadlines are established for this case:

- May 16, 2024:** Exchange of Rule 26(a)(1) disclosures
- June 17, 2024:** Service of first interrogatories and document demands
- July 17, 2024:** Responses to first interrogatories and document demands
- August 16, 2024:** Motions to join new parties or amend the pleadings
- September 16, 2024:** Meet and confer regarding 30(b)(6) depositions [CORPORATE DEPS]
- October 1, 2024**
11:00 AM: Status conference to be held via Zoom. The Court will email a Zoom invitation closer to the conference date.
- October 31, 2024:** Completion of all fact depositions
- November 29, 2024:** Identification of case-in-chief experts and service of Rule 26 disclosures
- December 27, 2024:** Identification of rebuttal experts and service of Rule 26 disclosures
- January 31, 2025:** Close of all discovery, including expert discovery
- February 24, 2025:** Final date by which parties shall take the first step of summary judgment motion practice. Depending on the assigned district judge, the first action commencing the practice would be either requesting a pre-motion conference or initiating the exchange of Local Civil Rule 56.1 statements. Parties are required to consult the Honorable Joan M. Azrack's Individual Rules regarding motion practice.

March 24, 2025 Pretrial Conference. A joint proposed pretrial order in compliance with the
10:00 AM: Honorable Joan M. Azrack's Individual Rules and signed by counsel for each
party must be received by the undersigned 5 business days prior to this
conference.

This scheduling order will be modified by the Court only upon a timely showing of good cause. Any request for modification of this scheduling order must be in writing and filed in accordance with the undersigned's Individual Rules. The parties are reminded that any requests to alter or extend a scheduling order *after* the deadlines have passed will need to establish good cause and in addition, excusable neglect, in accordance with Fed. R. Civ. P. 6(b)(1)(B).

Motions to resolve discovery disputes must be made by letter in accordance with Local Civil Rules 37.1 & 37.3 and in compliance with additional requirements set forth in the undersigned's Individual Rules, except deposition rulings which the Court encourages be sought during the deposition. Motions that do not comply with all requirements will be rejected.

Dated: Central Islip, New York
April 16, 2024

SO ORDERED:

/s/ *James M. Wicks*
JAMES M. WICKS
United States Magistrate Judge